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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,941	02/24/2004	Daniel Manhung Wong	50277-2406	3803
29989 7590 01/24/2007 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			EXAMINER VAUTROT, DENNIS L	
			ART UNIT 2167	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/24/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/786,941	<b>Applicant(s)</b> WONG, DANIEL MANHUNG	
	<b>Examiner</b> Dennis L. Vautrot	<b>Art Unit</b> 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The applicants' amendment, filed 13 November 2006, has been received, entered into the record and considered.
2. As a result of the amendment, claims 14 – 26 are amended. Claims 1 – 26 are pending in the application.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1 - 26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Information Disclosure Statement***

4. The Applicants' Information Disclosure statements (IDS), filed 31 July 2006, 30 October 2006, and 23 October 2006 have been received and entered into the record. Since the IDS comply with the provisions of MPEP § 609, the references cited therein have been considered by the examiner. See attached form PTO-1449.

### ***Claim Rejections - 35 USC § 101***

5. The 101 rejections for Claims 14 – 26 have been withdrawn in light of the amendments.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 – 2, 7 – 9, 14 – 15, and 19 – 21 are rejected under 35 U.S.C. 102(e) as being anticipated by **Yao** (US 2004/0254948).

8. Regarding claims 1 and 14, **Yao** teaches a machine-implemented method and machine-readable storage medium for executing a database statement, the method comprising the steps of:

a database server receiving a request to execute a database statement, wherein the request specifies the database statement and a tag that does not conform to a database language (See page 4, paragraph [0046] “The tags, in a preferred embodiment, are made part of comments in the ETL SQL file 440. Since they are in comments, known mechanisms will ignore the tags present in the comments such that the known mechanisms may execute and test the ETL SQL file 440 under a command

line environment." Here, the tag and the statement are being received from the command line.)

wherein said tag specifies at least one parameter field and at least one parameter value (See page 4, paragraph [0045] "These tags may contain variables that define parameters for the execution of the enterprise transient system 410." And see page 4, paragraph [0047] showing an example of a tags with their parameter and values i.e. "<SourceTable>iwh.test\_r</SourceTable>" with the parameter being "SourceTable" and value being "iwh.test\_r".)

in response to receiving the request, said database server storing the tag [operational data] (See page 3, paragraph [0042] "The ETL system performs extraction, transformation and load processes on the operational data of the server 104 such that the operational data may be stored in a structured form in the storage 106 for later analysis and query." And see page 5, paragraph [0050] "The modified SQL instructions are executed on the operational data of the enterprise transient system 410 via the enterprise system interface 470. The resulting extracted operational data is stored in the data warehouse storage system 430 via the data warehouse interface 480.")

said database server executing said database statement, wherein during execution of said database statement said database server provides access to one or more of the at least one parameter values [tag parameters] through a tag access mechanism provided by said database server (See page 4, paragraph [0046] "However, in accordance with the present invention, a driver mechanism is provided in the ETL system 420 that parses such comments to determine what tags and tag parameters are

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present in the comments in order to determine how to execute the SQL instructions in the ETL SQL file 440.”)

9. Regarding claims 2 and 15, **Yao** additionally teaches the database statement is written in a language in which results desired are specified, but no procedures for obtaining the results desired are specified. (See page 4, paragraph [0047] example 1 shows the database statement written in SQL, a declarative language as specified in the instant application's specification page 2, paragraph [0005].)

10. Regarding claims 7 and 19, **Yao** additionally teaches the tag comprises an indicator of a beginning of the tag, and an indicator of an end of the tag. (See page 4, paragraph [0047] example 1, showing angle brackets...; the end of the tag is indicated by a slash '/'.)

11. Regarding claims 8 and 20, **Yao** additionally teaches the at least one parameter value is located between the indicator of the beginning and the indicator of the end of the tag. (See page 4, paragraph [0047] Example 1, showing the parameter value “true”, being located between the <CommitStatement> and </CommitStatement>, which are indicators of the beginning and end of the tag.)

12. Regarding claims 9 and 21, **Yao** teaches each of the at least one parameter fields comprises an indicator of a beginning of the parameter field, followed by the

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parameter value, which in turn is followed by an indicator of an end of the parameter field. (See page 4, paragraph [0047] Example 1, showing the parameter value "true", being located between the <CommitStatement> and </CommitStatement>, which are indicators of the beginning and end of the tag.)

### ***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 3, 4, 6, 10 – 12, 16, 18, 22 – 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yao** as applied to claim 1 above and further in view of **Lin et al.** (hereinafter **Lin**, US 2001/0021929).

15. Regarding claims 3 and 16, **Yao** discloses a method and medium substantially as claimed. **Yao** does not explicitly disclose a priority for executing the database statement is determined based on the at least one parameter value. However, **Lin** discloses a priority for executing the database statement is determined based on the at least one parameter value. (See page 2, paragraph [0028] "There are various aspects of user management including, ... setting of the user priority, ... setting of the priority of returned query results, etc." and page 3, paragraph [0033] "Herein the appended

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parameters include information such as query attributes, query priorities, and designated receiving devices.”) It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of **Yao** and **Lin** because both references are related to querying a database and using command tags or control means for optimizing the process. By including the priority teaching as disclosed in **Lin**, the method and medium are more efficient as it is commonly known in the art that priorities are used for optimization. It is for this reason that one of ordinary skill in the art would have been motivated to include a priority for executing the database statement is determined based on the at least one parameter value.

16. Regarding claims 4 and 26, the combination of **Yao** and **Lin** additionally teaches a security level is associated with the at least one parameter such that whether the database is entitled to access a component is based on the at least one parameter. (See **Lin** page 2, paragraph [0028] “There are various aspects of user management, including authentication of the user identity, setting of the user priority...” and see **Lin** page 4, paragraph [0050] “Thereby, the user identity is authenticated. If the user is legal, the following steps are executed.” The identified user, and specifically their priority, could be considered the security level of the user.)

17. Regarding claims 6 and 18, the combination of **Yao** and **Lin** additionally teaches the at least one parameter is related to user context information (See **Lin** page 3, paragraph [0028] “There are various aspects of user management including the



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authentication of the user identity, setting of the user priority, setting of the service type, setting of the priority of returned query results etc.” Taken together all of these represent the user context information as referred to in the application.)

18. Regarding claims 10, 22, and 23, the combination of **Yao** and **Lin** additionally teaches the at least one parameter value can be accessed without accessing a session space associated with a database window, wherein the database statement was issued within the session window. (See **Lin** page 2, paragraph [0019] “The users can remove the connection after they have submitted a database query request. The inventive system can call back the users automatically and continuously after it has received the query results until the users obtain the query results.” The session space was defined in the specification as the memory allocated to database sessions. Here, it is clear the connection to that space is ended by removing the connection, therefore, any accessing of the parameter value that is done, is necessarily done without accessing the session space. Also, the statement had to have been issued during the session window, because the reference shows the connection being removed after the request was submitted, implying there was previously a connection.)

19. Regarding claims 11 and 24, the combination of **Yao** and **Lin** additionally teaches the at least one parameter value can be accessed without accessing a session space associated with a database window, wherein the database statement was issued within the session window. (See **Lin** page 2, paragraph [0019] “The users can remove

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the connection after they have submitted a database query request. The inventive system can call back the users automatically and continuously after it has received the query results until the users obtain the query results.” The session space was defined in the specification as the memory allocated to database sessions. Here, it is clear the connection to that space is ended by removing the connection, therefore, any accessing of the parameter vale that is done, is necessarily done without accessing the session space. Also, the statement had to have been issued during the session window, because the reference shows the connection being removed after the request was submitted, implying there was previously a connection.)

20. Regarding claim 12, the combination of **Yao** and **Lin** additionally teaches the at least one parameter value can be accessed without accessing a session space associated with a database window, wherein the database statement was issued within the session window. (See **Lin** page 2, paragraph [0019] “The users can remove the connection after they have submitted a database query request. The inventive system can call back the users automatically and continuously after it has received the query results until the users obtain the query results.” The session space was defined in the specification as the memory allocated to database sessions. Here, it is clear the connection to that space is ended by removing the connection, therefore, any accessing of the parameter vale that is done, is necessarily done without accessing the session space. Also, the statement had to have been issued during the session window,

because the reference shows the connection being removed after the request was submitted, implying there was previously a connection.)

21. Regarding claims 13 and 25, the combination of **Yao** and **Lin** additionally teaches the at least one parameter value can be accessed after a session window has closed, wherein the database statement was issued within the session window. (See **Lin** page 2, paragraph [0019] "The users can remove the connection after they have submitted a database query request. The inventive system can call back the users automatically and continuously after it has received the query results until the users obtain the query results." The session window was defined in the specification as the period of time during which a communicative connection exists between the user and the database. Here, it is clear the connection is ended, therefore, any accessing of the parameter value that is done, is necessarily done after the connection has ended. Also, the statement had to have been issued during the session window, because the reference shows the connection being removed after the request was submitted, implying there was previously a connection.)

22. Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yao** as applied to claim 1 above and further in view of **Inohara et al.** (hereinafter **Inohara**, US 6,757,670). **Yao** teaches a method for executing a database statement substantially as shown. **Yao** does not explicitly disclose one parameter is accessible to a system administrator. **Inohara**, however, teaches one parameter is accessible to a

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system administrator. (See column 10, lines 10-14 "The administrator associates the query classification definition with the query operation direction and stores them in the data processing system..." Here, parameters of the database statement are the operation direction and classification definition.) It would have been obvious to one with ordinary skill in the art at the time of the invention to combine **Yao** and **Inohara** because they are essentially both methods for query processing and by including the teaching of the system administrator having access to a parameter of **Inohara**, there can be more security over who can actually access the parameter, creating a more secure method of database access. It is for this reason that one of ordinary skill in the art would have been motivated to include one parameter is accessible to a system administrator.

### ***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Puz et al.** (US 2005/0050046), which teaches including security information in the SQL statement.

**Dutta et al.** (US 2005/0177570) teaches including priority and security as parameter information in database requests.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis L. Vautrot whose telephone number is 571-272-2184. The examiner can normally be reached on Monday-Friday 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dv  
19 January 2007

*Huen S. Lu*  
*Examiner under PSA*  
*art unit 2167*

*psa*

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :7/31/2006, 10/23/2006, 10/30/2006.